

CHAP. 742.—An Act Authorizing surveys and investigations to determine the best methods and means of utilizing the waters of the Gila River and its tributaries above the San Carlos Reservoir in New Mexico and Arizona.

May 25, 1928.
[H. R. 10786.]
[Public No. 508.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and empowered to make all necessary surveys and investigations to ascertain the best methods and means of utilizing the waters of the Gila River and its tributaries above the San Carlos Reservoir for irrigation and other purposes in the States of New Mexico and Arizona. The Secretary of the Interior is further authorized and empowered to prepare plans and make estimates of the cost of constructing dams, canals, and other works necessary for the utilization of such waters.

Gila River.
Survey, etc., to determine methods of using, and tributaries above San Carlos Reservoir, for irrigation in New Mexico and Arizona.

Preparation of plans, estimates, etc.

SEC. 2. That there is hereby authorized to be appropriated for this purpose a sum of not to exceed \$12,500 from any money in the reclamation fund: *Provided, however,* That the appropriation herein authorized shall not be available unless or until contributions of equal amounts shall have been provided from local sources.

Sum authorized from reclamation fund.

Proviso.
Equal amount from local sources.

Approved, May 25, 1928.

CHAP. 743.—An Act To authorize the Secretary of the Interior to transfer the Okanogan project, in the State of Washington, to the Okanogan irrigation district upon payment of charges stated.

May 25, 1928.
[S. 1661.]
[Public, No. 509.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to contract with the Okanogan irrigation district for the transfer of the control of the Okanogan project, in the State of Washington, constructed pursuant to the Act of June 17, 1902 (Thirty-second Statutes at Large, page 388), and Acts amendatory thereof or supplementary thereto, known as the reclamation law, upon the district agreeing to pay to the United States in discharge of all obligations the sum of \$10,000 per annum for the period of thirty-one consecutive years, beginning with the year 1928 such installments to be due on December 1 of each year and bear interest at the rate of 6 per centum per annum after due. Upon such payments being completed, the said Secretary is authorized to convey to the district all the right, title, and interest of the United States in and to said Okanogan project.

Okanogan irrigation project, Wash.
Transfer authorized of, to Okanogan irrigation district.
Vol. 32, p. 388.

Yearly payments.

Upon completion of payments all rights transferred.

Assignment of Federal claims under contracts.

SEC. 2. The Secretary is authorized to assign to the district all claims that the United States now holds under contracts with water users and others owning land outside the boundaries of the said district, or owning land within the boundaries of said district but not consenting expressly or impliedly to the modifications in their water-right contracts necessary to conform to the terms of said proposed contract between the United States and the Okanogan irrigation district. During the irrigation season of 1928, prior to the execution of such contract with the Okanogan irrigation district, the district may, at its own expense, operate the canals and other works of the Okanogan project for the delivery of water to the water users thereunder, and during such irrigation season may deliver water regardless of the restrictions now imposed by the reclamation law relating to delinquency in payment of charges.

Operation during irrigation season of 1928.

SEC. 3. The contract between the United States and the said district shall reserve to the United States the power to resume control of said project at any time when necessary to shut off water to enforce payment of the annual installments provided for in the first section hereof.

Power reserved to resume control to enforce payments.

Control to be resumed if annual installment not paid before March 1 after due.

The Secretary of the Interior is directed to resume control and shut off water to enforce payment whenever any such annual installment is not paid on or before March 1 after due.

Approved, May 25, 1928.

May 25, 1928.

[S. 2965.]

[Public, No. 510.]

CHAP. 744.—An Act Authorizing the State of Indiana, acting by and through the State highway commission, to construct, maintain, and operate a toll bridge across the Wabash River, at or near Vincennes, Indiana.

Wabash River.
Indiana may bridge,
at Vincennes.

Construction.
Vol. 34, p. 84.

Right to acquire real
estate, etc., for location,
approaches, etc.

Condemnation pro-
ceedings.

Tolls authorized.

Vol. 34, p. 85.

Rates applied to op-
eration, sinking fund,
etc.

Maintenance as a
free bridge after amor-
tizing costs.

Record of expendi-
tures and receipts.

Former Act repealed.
Vol. 43, p. 945, re-
pealed.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the State of Indiana, acting by and through the State highway commission, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Vincennes, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the State of Indiana, acting by and through the State highway commission, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said State of Indiana, acting by and through the State highway commission, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize an amount not to exceed the cost of such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed ten years from the completion thereof. After a sinking fund sufficient to pay an amount not to exceed the cost of constructing the bridge and its approaches shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The Act of Congress approved February 13, 1925, authorizing the States of Indiana and Illinois to construct a bridge over the Wabash River at Vincennes, Indiana, is hereby repealed.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 25, 1928.